

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

VENTANA MEDICAL SYSTEMS, INC.,

Plaintiff,

v.

VISION BIOSYSTEMS, INC.,

Defendant.

CIVIL ACTION NO. 05-CV-10614-GAO

**REQUEST FOR SCHEDULING OF ORAL ARGUMENT ON VISION'S
MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT (D.I. 61)**

The parties have conferred regarding scheduling and jointly submit this request for scheduling of oral argument on the motion for summary judgment of non-infringement (D.I. 61) filed by defendant Vision BioSystems, Inc. ("Vision"). Subject to the Court's availability, the parties respectfully request a hearing during the week of August 27, 2007, or, if the Court is not available at that time, at the Court's earliest convenience thereafter.

Ventana Medical Systems, Inc.'s brief in opposition to Vision's motion for summary judgment of non-infringement is due to be filed by July 30, 2007. Vision expects that it will file any reply brief (subject to leave of Court, pursuant to Local Rule 7.1(b)(3)) by August 13, 2007.

Counsel for both parties are available for oral argument on Vision's motion during the week of August 27, 2007, subject to availability of the Court.

VENTANA MEDICAL SYSTEMS, INC.

VISION BIOSYSTEMS, INC.

By its attorneys:

By its attorneys:

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